

TOWN OF TELLURIDE GENERAL MUNICIPAL ELECTION

TOWN COUNCIL

(Vote For No More Than Four)

Stuart Fraser
Dawn Ibis
Andrea Benda
Justin Clifton
Jill Masters
Mallory Dimmitt

TOWN MEETING MODERATOR

Thom Carnevale

BALLOT ISSUE 2A

SHALL THE TOWN OF TELLURIDE DEBT BE INCREASED \$10,000,000, WITH A REPAYMENT COST OF \$25,250,625, AND SHALL TOWN TAXES BE INCREASED \$845,000 ANNUALLY FOR (I) CONSTRUCTING AND EQUIPPING A NEW WATER TREATMENT FACILITY; WHICH FACILITY MAY INCLUDE BUT IS NOT LIMITED TO, A WATER TREATMENT PLANT, STORAGE FACILITIES AND A HYDROELECTRIC PLANT; AND (II) CONSTRUCTING RAW WATER PIPELINES AND TREATED WATER TRANSMISSION AND DISTRIBUTION LINES AND LATERALS; TOGETHER WITH THE ACQUISITION OF ALL NECESSARY, INCIDENTAL, AND APPURTENANT FACILITIES, EQUIPMENT, LAND, AND EASEMENTS, AND EXTENSIONS OF AND IMPROVEMENTS TO SAID FACILITIES; AND SHALL THE MILL LEVY BE INCREASED IN ANY YEAR AS NECESSARY TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH DEBT OR ANY REFUNDING DEBT (OR TO CREATE A RESERVE FOR SUCH PAYMENT), SUCH DEBT TO BE EVIDENCED BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OR OTHER OBLIGATIONS BEARING INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE NOT TO EXCEED 7.5%; SUCH BONDS TO BE SOLD IN ONE SERIES OR MORE, FOR A PRICE ABOVE OR BELOW THE PRINCIPAL AMOUNT OF SUCH SERIES, ON TERMS AND CONDITIONS, AND WITH SUCH MATURITIES AS PERMITTED BY LAW AND AS THE TOWN MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE BONDS PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF THE PREMIUM OF NOT TO EXCEED THREE PERCENT; AND SHALL THE TOWN BE AUTHORIZED TO ISSUE DEBT TO REFUND THE DEBT AUTHORIZED IN THIS QUESTION, PROVIDED THAT SUCH REFUNDING DEBT,

ALONG WITH ANY OTHER DEBT INCURRED BY THE TOWN PURSUANT TO THIS AUTHORIZATION, IS ISSUED ON TERMS WHICH DO NOT EXCEED (I) THE ORIGINAL PRINCIPAL AMOUNT; (II) INTEREST AMOUNT, AND (III) TOTAL REPAYMENT COSTS AUTHORIZED IN THIS QUESTION; AND SHALL THE EARNINGS FROM THE INVESTMENT OF SUCH BOND PROCEEDS AND TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

QUESTION 200

Shall the following initiated ordinance be passed?

AN ORDINANCE to Establish a Sensible Marijuana Law Enforcement Policy in Telluride, Colorado:

WHEREAS, Telluride and other Colorado taxpayers are burdened by the substantial costs of investigating, arresting, prosecuting and jailing people for charges involving marijuana; and

WHEREAS, federal education loans are denied to middle-income and lower-income students pursuant to Congressional amendments to the Higher Education Act where applicant students have been convicted of charges involving marijuana; and

WHEREAS, Americans were subjected to more than 735,000 arrests for possession of marijuana and arrests related to marijuana in 2002; such arrests accounted for nearly half of all drug arrests in the United States in 2000; and 88% of those arrests were for simple possession cases; and

WHEREAS, the failures and harms of the Drug War have fallen most heavily on racial minorities and lower income communities, and no racial or economic group in Colorado or the United States has escaped the Drug War unharmed; and

WHEREAS it is a goal of the people of Telluride to keep drugs off the streets and away from children, and to eliminate street dealing and violent crime; and

WHEREAS each year Colorado spends millions of dollars enforcing marijuana laws, expending valuable law enforcement resources that would be better spent on fighting violent and serious crimes; and

WHEREAS medical and governmental studies have consistently found marijuana to be less dangerous than alcohol, tobacco and other drugs; and

WHEREAS otherwise law-abiding adults are being arrested or imprisoned for nonviolent marijuana offenses, clogging our courts and jails; and

WHEREAS it is the hope of the people of Telluride that there will be state and federal law reform that will eliminate the problems and costs caused by marijuana prohibition;

Now, Therefore, BE IT ORDAINED BY THE TOWN OF TELLURIDE AS FOLLOWS:

A new section of the Town Code is added to read:

Section 1: LOWEST LAW ENFORCEMENT PRIORITY

A. The Telluride Police Department and Town Attorney's Office shall make the investigation, arrest and prosecution of marijuana offenses, where the marijuana was intended for adult personal use, the Town's lowest law enforcement priority.

B. "Adult personal use" is defined as the possession of less than 28 grams (one ounce) of marijuana by an adult at least 21 years of age, where the marijuana is not open to public view.

The sale of marijuana for remuneration is not included in the definition of personal use and is subject to prosecution under existing state laws.

Section 2: REGULATION

If adult use of marijuana is ever recognized as lawful under Colorado law, the Town of Telluride shall support the creation of a system to license, tax and regulate marijuana for adult use as soon as possible. This system shall include, but not be limited to, the following regulations consistent with Colorado law:

- a) The sale and distribution to minors will be strictly prohibited;
- b) The city shall establish a licensing system for marijuana businesses, with regulations to assure good business practices, compliance with health and safety standards, access for persons with disabilities, and nuisance abatement;
- c) Minors shall not be permitted in areas where marijuana is sold, nor shall minors be employed by licensed marijuana businesses;
- d) No business licensed to sell marijuana will be located within 600 feet of a school or church;
- e) Marijuana businesses shall be required to pay taxes and licensing fees;
- f) The public advertising of marijuana through television, radio or billboards will be prohibited; and
- g) Onsite consumption shall be licensed so as to keep marijuana off the streets and away from children, subject to reasonable air quality standards.

Section 3: SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the terms and provisions to other persons or circumstances shall not be affected.